



CITY OF FOREST PARK
PLANNING COMMISSION MEETING

Thursday, October 17, 2024 at 6:00 PM
City Hall | 745 Forest Parkway, Forest Park, GA 30297

Website: www.forestparkga.gov
Phone Number: (404) 366-4720

PLANNING & COMMUNITY DEVELOPMENT
785 Forest Parkway
Forest Park, GA 30297

AGENDA

Azfar Haque, *Chairman*
Michael Clinkscales, *Vice Chairman*
Roderick Jackson, *Member*
Donald Williams, *Member*
Lois Wright, *Member*

CALL TO ORDER/WELCOME:

ROLL CALL:

ADOPTION OF THE AGENDA WITH ANY ADDITIONS/DELETIONS:

APPROVAL OF MINUTES:

1. Approval of September 19, 2024 Meeting Minutes

PUBLIC COMMENTS: (All Speakers will have 3 Minutes)

OLD BUSINESS:

NEW BUSINESS:

2. Case# VAR-2024-07 - Variance request for 100 METCALF EXTENSION RD., Parcel # 12178-2107002, Ward 3. The applicant, PME Oakmont Gillem, LLC (Thomas Cobb), is requesting a variance to increase the maximum lot coverage from the required fifty (50) percent to seventy-seven (77) percent and decrease the minimum lot frontage from the required fifty (50) percent of the lot width to thirty (30) percent of the lot width, to allow the construction of a warehouse/distribution center within the Gillem District (GZ).
3. Case# TA-2024-04 Text Amendment for Article I. – Permits and Certificates, Section 8-8-238 Zoning Verification Process of the City of Forest Park Code of Ordinances to amend such section and add subsection (c) Zoning Verification Approval Timeline.

- [4.](#) Case# TA-2024-05 Text Amendment for Article S. – Residential Rental Dwelling Unit Inspection and Maintenance Program, Section 8-2-302 Self-Inspections of residential rental dwelling units of the City of Forest Park Code of Ordinances to amend such section, modifying the provisions of self-inspections of residential rental dwellings units.

ADJOURNMENT:

In compliance with the Americans with Disabilities Act,
those requiring accommodation for meetings should notify
the City Clerk's Office at least 24 hours prior to the meeting at 404-366-4720.



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MINUTES

Azfar Haque, Chairman
Michael Clinkscales, Vice Chairman
Roderick Jackson, Member
Donald Williams, Member
Lois Wright, Member

CALL TO ORDER/WELCOME:

Azfar Haque called the meeting to order at 6:00pm.

ROLL CALL:

PRESENT:

Azfar Haque; Michale Clinkscales; Roderick Jackson; Donald Williams; Lois Wright

OTHERS PRESENT:

Nicole Dozier, Planning & Community Development Director; Danielle Matricardi, City Attorney; SaVaughn Irons-Kumassah, Principal Planner; Latemia Richards, Planner I; Latonya Turner, Planning & Community Development Office Coordinator

ADOPTION OF THE AGENDA WITH ANY ADDITIONS/DELETIONS:

APPROVAL OF MINUTES:

1. Approval of June 20, 2024 Meeting Minutes

It was moved to approve the June 20, 2024 Meeting Minutes as printed.

Motion made by Lois Wright, Seconded by Donald Williams. Motion carried.

OLD BUSINESS:

NEW BUSINESS:

2. **Case# CUP-2024-02 - Conditional Use Permit for 4914 West St., Parcel# 13050A D001, Ward 2 - Applicant, India Evans, is requesting a Conditional Use Permit to establish a childcare center for children from infancy to pre-kindergarten within the Multi-Family Residential District (RM).**

Background/History:

The applicant is requesting a Conditional Use Permit to open and operate a childcare center for children from infancy to pre-kindergarten at 4914 West Street. The applicant is proposing to utilize each building to offer a safe, nurturing, and educational environment. The main building will consist of five age-specific classrooms. The auxiliary building will consist of an equipped kitchen for meal preparation, waiting area for parents and visitors, reception area, and administrative offices. The operation hours will be Monday through Friday 7am - 6pm. This property is located within the Multiple Family Residential District (RM). Per Sec. 8-8-32. – Multiple Family Residential District (RM), Pre-K and Day Care centers require a conditional use permit to operate within this district. The property is located within a residential neighborhood.

SaVaughn Irons-Kumassah – stated staff recommends approval of the Conditional Use Permit with the conditions that the owner of property must adhere to repaving the driveway, repainting the parking spots, replacing old signs with new signs, cutting the grass at the front entrance, side, and rear of the property, and adding entrance and exit signs.

India Evans – stated that she is the applicant for 4914 West St and is willing to put in writing that she will meet the requirements.

It was moved to approve the Conditional Use Permit for 4914 West St with the stated conditions. Motion made by Roderick Jackson, Seconded by Lois Wright. Motion carried.

3. **Case# CUP-2024-03 - Conditional Use Permit for 1042 and 1044 Main St., Parcel# 13049B F002B, Ward 3 - Applicant, Dadrean Lakes, is requesting a Conditional Use Permit to establish a childcare center for children from 6 weeks to 12 years of age within the Downtown Mainstreet District (DM).**

Background/History:

The applicant is requesting a Conditional Use Permit to open and operate a childcare center for children aged 6 weeks to 12 years old at 1042 Main Street. The applicant is proposing to utilize two units addressed 1042 and 1044 Main Street at this location to cater to the specific needs of each age group. The operation hours will be Monday through Friday 7am - 6pm. This property is located within the Downtown Mainstreet District (DM). Per Section 8-8-30.- Downtown Mainstreet (DM), Pre-K and Day Care centers require a Conditional Use Permit to operate within this district.

SaVaughn Irons-Kumassah – stated that the applicant does not meet all zoning criteria for approval therefore staff recommends denial of the Conditional Use Permit to open and operate a childcare center for children from this location.

Rev. Michael Scandrick – stated that he is the owner of the daycare at 4932 Phillips Drive and that he's been there approximately 30-plus years. He's concerned about the safety of the children if a daycare is opened at 1042 and 1044 Main Street. He stated the location is too close to the street, has no windows, is surrounded by cement, and directly next to a bus stop. He asks that the Board deny the request.

It was moved to deny the Conditional Use Permit for 1042 and 1044 Main Street.
Motion made by Roderick Jackson, Seconded by Lois Wright. Motion carried.

ADJOURNMENT:

It was moved to adjourn the meeting at 6:27pm
Motion made by Michael Clinkscales, Seconded by Donald Williams. Motion carried.

In compliance with the Americans with Disabilities Act,
those requiring accommodation for meetings should notify
the City Clerk's Office at least 24 hours prior to the meeting at 404-366-4720.

Staff Report – Variance

Public Hearing Date: October 17, 2024

Case: VAR-2024-07

Current Zoning: GZ – GILLEM DISTRICT

Ward: 3

Proposed Request: Variance Request to increase the maximum lot coverage from the required fifty (50) percent to seventy-seven (77) percent and decrease the minimum lot frontage from the required fifty (50) percent of the lot width to thirty (30) percent of the lot width, to allow the construction of a warehouse/distribution center within the Gillem District (GZ).

Staff Report Compiled By: SaVaughn Irons-Kumassah, Principal Planner

Staff Recommendation: Approval of Variance

APPLICANT INFORMATION

Owner of Record:

Name: Waken Co. (Charlie Waken)
100 Metcalf Extension Road
Forest Park, GA 30297

Applicant:

PME Oakmont Gillem, LLC (Thomas Cobb)
4386 Foster St.
Forest Park, GA 30297

PROPERTY INFORMATION

Parcel Number: 12178 207002

Acreage: 16 +/-

Address: 100 Metcalf Extension Rd.

FLU: Institutional

ZONING CLASSIFICATIONS OF CONTIGUOUS PROPERTIES

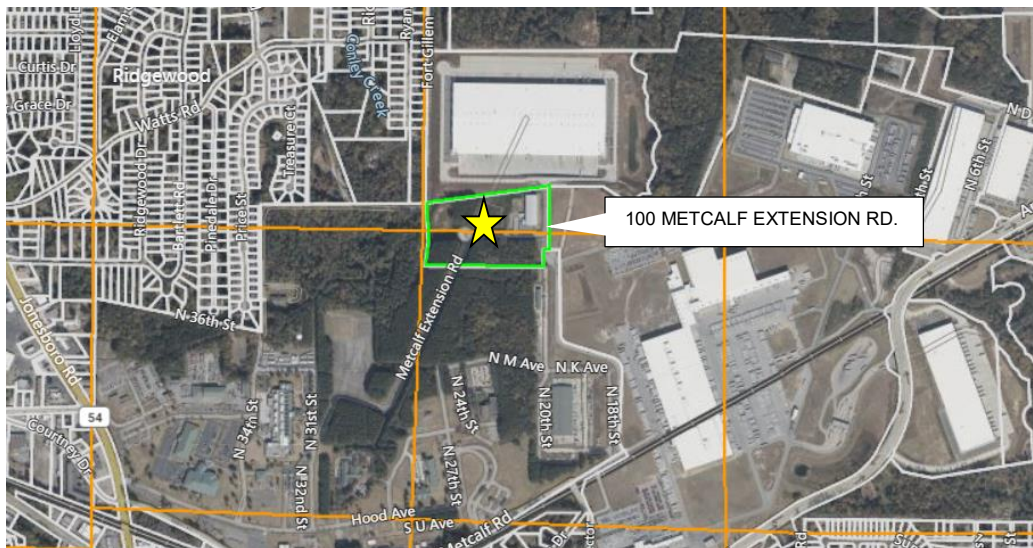
Direction	Zoning & Use	Direction	Zoning & Use
North	GZ: Gillem District	East	GZ: Gillem District
South	GZ: Gillem District	West	GZ: Gillem District

SUMMARY & BACKGROUND

The subject property is a 16 +/- acre lot that has a structure, east of the lot and vacant land west of the lot on an industrial property located at 100 Metcalf Extension Rd. The applicant is requesting a variance to increase the maximum lot coverage from the required fifty (50) percent to seventy-seven (77) percent and decrease the minimum lot frontage from the required fifty (50) percent of the lot width to thirty (30) percent of the lot width, to allow the construction of a warehouse/distribution center within the Gillem District (GZ). Per Sec 8-8-51. **Gillem District (GZ) standards** the required maximum lot coverage is fifty (50) percent, and the minimum lot frontage is fifty (50) percent of the lot width. Prior to submitting this variance request, the applicants architectural design was approved by the Urban Design Review Board in July 2024. After the approval was granted, the applicant then requested the lot to be divided, which has caused hardship and has prevented the property to comply with the standards set in our GZ District.

The approval of this variance will allow the applicant to move forward with their construction plans to build a warehouse/distribution center within the Gillem District (GZ).

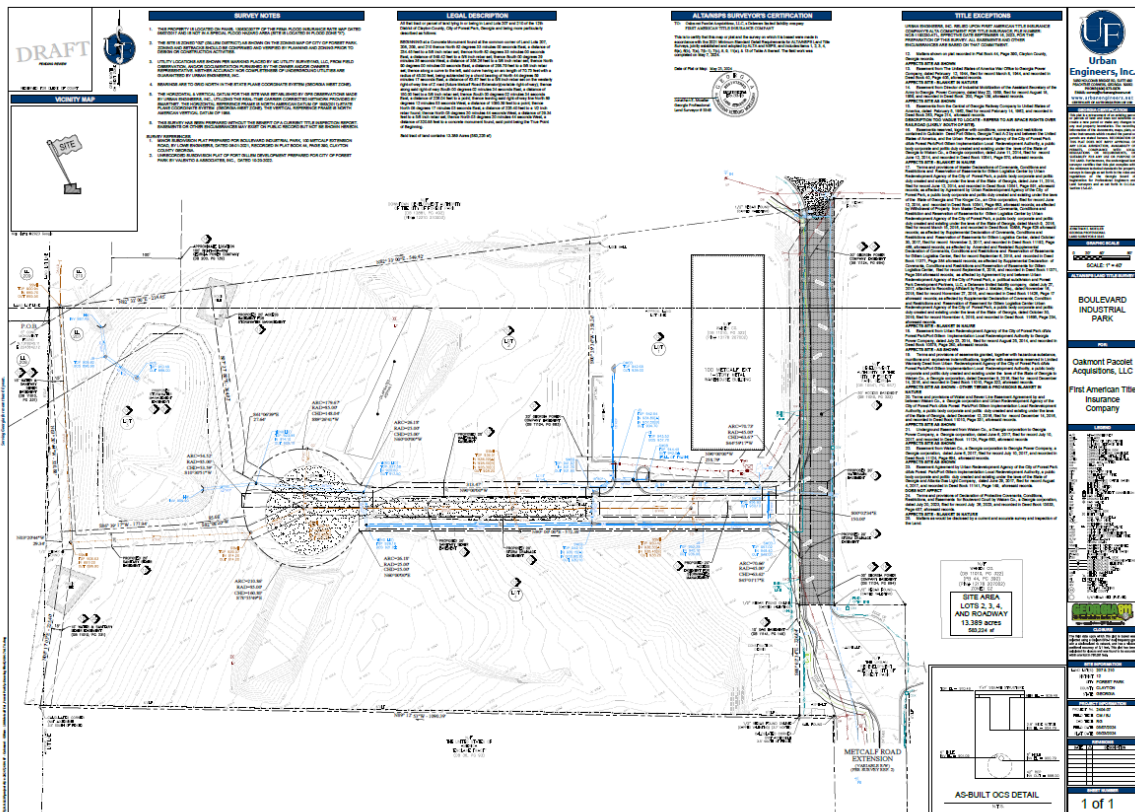
AERIAL MAP



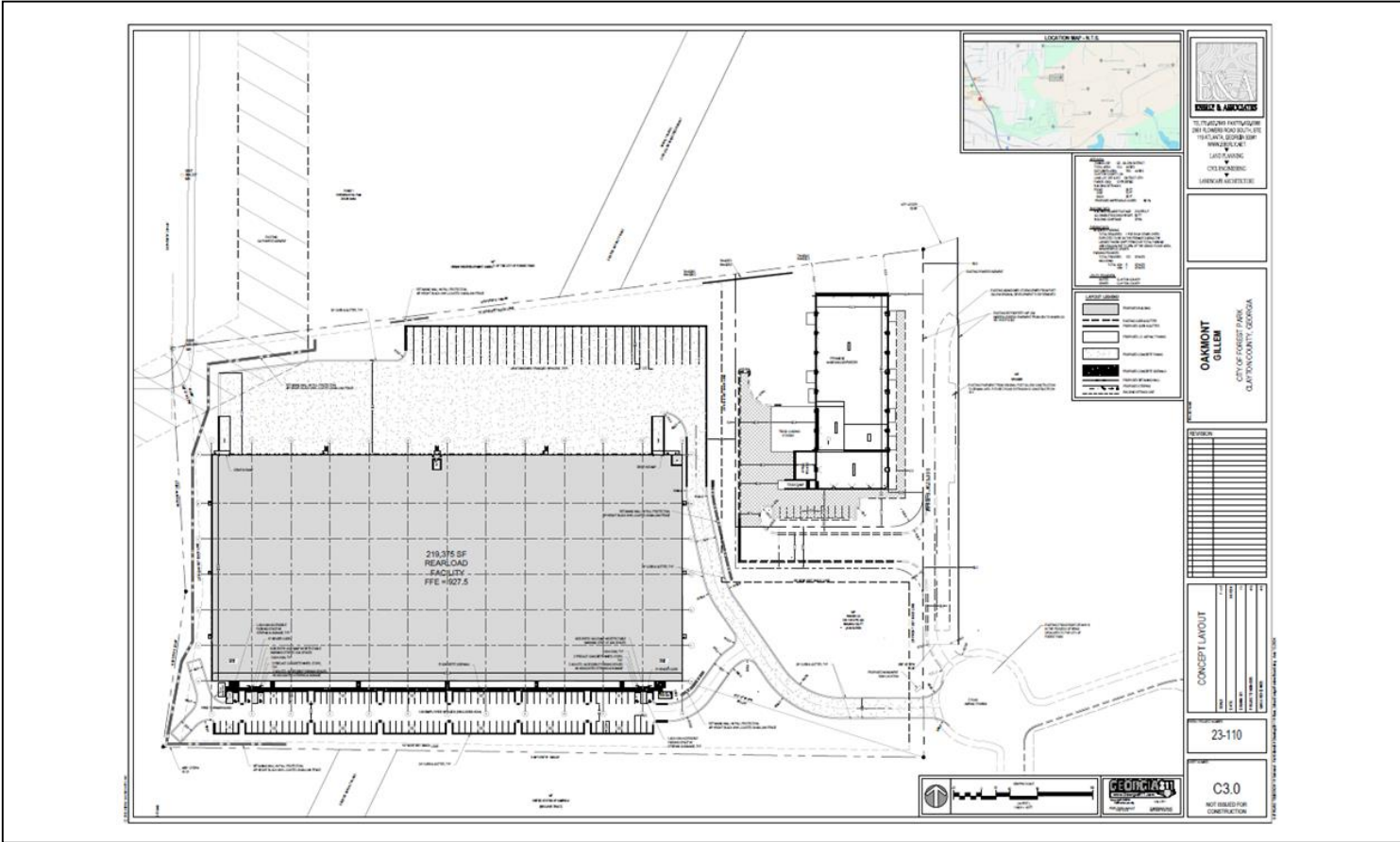
ZONING MAP



SURVEY



SITE PLAN



SITE PHOTOS







Network: Oct 2, 2024 at 10:39:40 AM EDT
 Local: Oct 2, 2024 at 10:39:40 AM EDT
 Forest Park, GA 30260
 Remark: Officer Do #805

VARIANCE JUSTIFICATION

The Planning Commission may grant a variance from the development standards of this chapter in permittance under this chapter, if, after a public hearing, it makes findings of facts in writing, that:

1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community, per Sec. 8-8-193. (a) (1) of the Code of Ordinances.
2. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner per Sec. 8-8-193. (a) (2) of the Code of Ordinances; and
3. The strict application of the terms of this ordinance will result in practical difficulty in the use of the property. This situation shall not be self-imposed, nor be based on a perceived reduction of, or restriction on, economic gain, per Sec. 8-8-193. (a) (3) of the Code of Ordinances.

STAFF RECOMMENDATION

Staff recommends **APPROVAL** of the variance request to increase the maximum lot coverage from the required fifty (50) percent to seventy-seven (77) percent and decrease the minimum lot frontage from the required fifty (50) percent of the lot width to thirty (30) percent of the lot width, to allow the construction of a warehouse/distribution center within the Gillem District (GZ). The requested variance will not be injurious to the public health, safety, morals, and general welfare of the community, and the use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner.

Attachments Included

- Justification Letter

STAFF REPORT – Text Amendments
Public Hearing Date: October 17, 2024
City Council Meeting: November 4, 2024

Case: TA-2024-04

Proposed Request: Text Amendments to The City of Forest Park Zoning Code of Ordinance

Staff Report Compiled By: SaVaughn Irons-Kumassah, Principal Planner

Staff Recommendation: Approval to amend Zoning Ordinance

PROPOSED TEXT AMENDMENTS

- I. The Planning & Community Development Department is proposing a text amendment to the Code of Ordinances. Case # TA-2024-04 includes an amendment to Article I. – Permits and Certificates, Section 8-8-238 Zoning Verification Process, adding subsection (c) Zoning Verification Approval Timeline.

BACKGROUND

The Planning & Community Development Department has discovered some areas of the Code of Ordinances that need to be amended for clarity and formal processes. The requested text amendments will not be injurious to the public health, safety, morals, and general welfare of the community, and the use will not be affected in a substantially adverse manner.

Current Article I. Permits and Certificates:

Section 8-8-238 Zoning Verification Process.

(a) To determine in advance whether a structure or use existing or proposed for any property located within the city is or may be used or developed in compliance with this chapter, the owner of the property or his agent ("owner") may request a zoning verification letter from the director. Such request shall be in writing and on the form developed by the city, which form, at a minimum, shall require that the following information be provided regarding the property for which the certificate is being requested:

- (1) Identity of the owner of the subject property.
- (2) Identity of any agent of the owner of the subject property.
- (3) A legal description of the subject property.
- (4) A complete description and inventory of all existing structures on the subject property.
- (5) A complete description and inventory of all proposed structures to be located on the subject property.
- (6) A complete description and inventory of any and all activities presently occurring on the subject property; and

(7) A complete description and inventory of any and all activities proposed to occur on the subject property

(b) The issuance of a zoning verification letter shall merely constitute confirmation that the structures and/or uses located on or proposed for the subject property have been determined to be in compliance with the zoning ordinance of the city as effective on the date of issuance of the certificate and may be legally conducted thereon as of the date of issuance of the certificate.

(Ord. No. 21-11, § 1(Exh. A), 9-7-2021)

The following text amendments have been proposed:

- I. An amendment to Article I. Permits and Certificates – Section 8-8-238 Zoning Verification Process, to amend such section and, adding new subsection (c) Zoning Verification Approval Timeline.

This update provides clarity for the timeline in which a zoning verification approval expires and length of time the approval is authorized.

ARTICLE I. PERMITS AND CERTIFICATES

Section. 8-8-238. Zoning Verification Process.

(a) To determine in advance whether a structure or use existing or proposed for any property located within the city is or may be used or developed in compliance with this chapter, the owner of the property or his agent ("owner") may request a zoning verification letter from the Planning and Community Development Department. Such request shall be in writing and on the form developed by the city, which form, at a minimum, shall require that the following information be provided regarding the property for which the certificate is being requested:

- (1) Identity of the owner of the subject property.*
- (2) Identity of any agent of the owner of the subject property.*
- (3) A Parcel Identification number of the subject property.*
- (4) A complete description and inventory of all existing structures on the subject property.*
- (5) A complete description and inventory of all proposed structures to be located on the subject property.*
- (6) A detailed description and inventory of any and all activities presently and proposed to occur on the subject property.*

(b) The issuance of a zoning verification letter shall merely constitute confirmation that the structures and/or uses located on or proposed for the subject property have been determined to be in compliance with the zoning ordinance of the city as effective on the date of issuance of the certificate and may be legally conducted thereon as of the date of issuance of the certificate.

(c) Zoning Verification Approval Timeline:

- (1) A zoning verification letter shall cease to be authorized and expire without any further action if business license or construction has not been approved, completed, started and/or occupancy granted within six (6) months of the date Planning & Community Development Staff approved the zoning verification.*
- (2) If zoning verification letter date of issuance has exceeded six (6) months past the approval date, the owner of the property or his agent ("owner") will be required to reapply for zoning approval to determine if property still is in compliance with the zoning ordinance of the city as effective on the date of issuance of the certificate.*

STAFF REPORT – Text Amendments
Public Hearing Date: October 17, 2024
City Council Meeting: November 4, 2024

Case: TA-2024-05

Proposed Request: Text Amendments to The City of Forest Park Zoning Code of Ordinance

Staff Report Compiled By: SaVaughn Irons-Kumassah, Principal Planner

Staff Recommendation: Approval to amend Zoning Ordinance

PROPOSED TEXT AMENDMENTS

- I. The Planning & Community Development Department is proposing a text amendment to the Code of Ordinances. Case # TA-2024-05 includes an amendment to Article S. – Residential Rental Dwelling Unit Inspection and Maintenance Program, Section 8-2-302 Self-Inspections of residential rental dwelling units, modifying the provisions of self-inspections of residential rental dwellings units.

BACKGROUND

The Planning & Community Development Department has discovered some areas of the Code of Ordinances that need to be amended for clarity and formal processes. The requested text amendments will not be injurious to the public health, safety, morals, and general welfare of the community, and the use will not be affected in a substantially adverse manner.

Current Article S. – Residential Rental Dwelling Unit Inspection and Maintenance Program.

Section 8-2-302 Self-Inspections of residential rental dwelling units.

(a) Each owner or operator, on behalf of the owner of residential rental dwelling units is required to conduct an annual self-inspection of the interior and exterior of the property on a form provided by the department of planning and community development. The form shall be submitted to the city along with the annual occupation tax certificate application required pursuant to [section 8-2-305\(a\)](#). For multi-family rental complexes, the code compliance certificate shall cover at least twenty-five (25) percent of the units in multi-family rental dwellings, provided all units shall be inspected, at a minimum, every four (4) years. All units inspected shall be listed individually on the code compliance certificate submitted to the city by the certified building inspector. Furthermore, exterior, and common area inspections shall cover at least fifty (50) percent of the buildings, provided all buildings shall be inspected, at a minimum, every two (2) years. All units inspected shall be listed individually and submitted to the city by the building inspector.

(b) Failure to provide the code compliance certificate as provided herein shall be a violation of this article and is subject to those penalties contained in [section 1-1-8](#).

(c) Further, said failure, upon a judicial determination, shall be a condition constituting probable cause, and may subject said dwelling units to inspection by the city building official and/or the city fire marshal at a fee as determined by the city council that covers all costs of such inspection by the city. Said inspection by the city, if required, shall be at a sole cost of the owner and failure to pay said cost shall result in a lien being placed on the premises as provided for collection of taxes.

(d) If code violations are observed during such inspection, reinspection fees will apply at the time of the re-inspection. The fees are the sole responsibility of the property owner(s). Upon inspection of such dwellings or units, should a building inspector determine that further work is necessary to comply with the minimum standards set forth in the in this Code, an acceptable plan shall be submitted to the building official outlining the time and scope of work necessary to bring the units into compliance. If such plan is accepted by the building official as reasonable and justified, an extension may be granted for up to one year for completion of repairs and compliance with this section. No extension shall be granted if life safety issues are involved, and any such units shall not be leased until brought into compliance. Failure to comply with the accepted plan shall be a violation of this section and is subject to those penalties contained in [section 1-1-8](#) of this Code.

(e) If an inspection is scheduled and entry is thereafter refused or cannot be obtained, the inspector shall have recourse to every remedy provided by law to secure lawful entry and inspect the premises.

(f) Notwithstanding the foregoing, if the inspector has probable cause to believe that the residential rental dwelling unit is so hazardous, unsafe, or dangerous as to require immediate inspection to safeguard the public health or safety, the inspector shall have the right to immediately enter and inspect the premises and may use any reasonable means required to affect the entry and make an inspection.

([Ord. No. 22-09](#), § 1(Exh. A), 5-16-2022)

The following text amendments have been proposed:

- I. An amendment to Article S. – Residential Rental Dwelling Unit Inspection and Maintenance Program – Section 8-2-302 Self-Inspections of residential rental dwelling units, to amend such section, modifying the provisions of self-inspections of residential rental dwellings units.

This update terminates the ability to conduct annual self-inspections of interior and exterior properties and requires the property owner or his agent to hire a licensed contractor to conduct interior and exterior inspections.

ARTICLE S. RESIDENTIAL RENTAL DWELLING UNIT INSPECTION AND MAINTENANCE PROGRAM

Section. 8-2-302 Self- Inspections of residential rental dwelling units.

(a) Each owner or operator, on behalf of the owner of residential rental dwelling units is required to hire a licensed contractor/inspector to conduct an annual inspection of the interior and exterior of the property on a form provided by the department of planning and community development. The form shall be submitted to the city along with the annual occupation tax certificate application required pursuant to [Section 8-2-305\(a\)](#). For multi-family rental complexes, the code compliance certificate shall cover at least twenty-five (25) percent of the units in multi-family rental dwellings, provided all units shall be inspected, at a minimum, every four (4) years. All units inspected shall be listed individually on the code compliance certificate submitted to the city by the certified building inspector. Furthermore, exterior, and common area inspections shall cover at least fifty (50) percent of the buildings, provided all buildings shall be inspected, at a minimum, every two (2) years. All units inspected shall be listed individually and submitted to the city by the building inspector:

(b) Failure to provide the code compliance certificate as provided herein shall be a violation of this article and is subject to those penalties contained in [Section 1-1-8](#).

(c) Further, said failure, upon a judicial determination, shall be a condition constituting probable cause, and may subject said dwelling units to inspection by the city building official and/or the city fire marshal at a fee as determined by the city council that covers all costs of such inspection by the city. Said inspection by the city, if required, shall be at a sole cost of the owner and failure to pay said cost shall result in a lien being placed on the premises as provided for collection of taxes.

(d) If code violations are observed during such inspection, reinspection fees will apply at the time of the re-inspection. The fees are the sole responsibility of the property owner(s). Upon inspection of such dwellings or units, should a building inspector determine that further work is necessary to comply with the minimum standards set forth in the in this Code, an acceptable plan shall be submitted to the building official outlining the time and scope of work necessary to bring the units into compliance. If such plan is accepted by the building official as reasonable and justified, an extension may be granted for up to one year for completion of repairs and compliance with this section. No extension shall be granted if life safety issues are involved, and any such units shall not be leased until brought into compliance. Failure to comply with the accepted plan shall be a violation of this section and is subject to those penalties contained in [Section 1-1-8](#) of this Code.

(e) If an inspection is scheduled and entry is thereafter refused or cannot be obtained, the inspector shall have recourse to every remedy provided by law to secure lawful entry and inspect the premises.

(f) Notwithstanding the foregoing, if the inspector has probable cause to believe that the residential rental dwelling unit is so hazardous, unsafe, or dangerous as to require immediate inspection to safeguard the public health or safety, the inspector shall have the right to immediately enter and inspect the premises and may use any reasonable means required to affect the entry and make an inspection.

